

MinutesNovember 6, 2001

9:00 a.m.

At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Tuesday, November 6, 2001, the following members were present:

Gary Feland, Chairman
Jay Stovall, Vice Chairman
Bob Anderson, Commissioner
Matt Brainard, Commissioner

Commissioner Rowe was absent but left written votes and his proxy with Commissioners Brainard and Stovall on various issues.

APPEARANCE
Dennis Crawford
Utility Division

(388) In the matter of Qwest Corporation, Docket No. N2001.10.132; On October 9, 2001, Qwest filed Tariff Transmittal 01-32, requesting in an effort to simplify the Qwest Local Long Distance product family, effective Nov 15, 2001, that certain Calling Connection Plans be grandfathered to existing customers and no new subscribers or changes to these plans be allowed. The plans proposed to be grandfathered are Business Daytime Connection Plus, Volume Calling Connection, Simple Value, City Connection and Tenant Calling Connection. Qwest will continue to offer its Super Savings Plan. Commissioner Anderson moved to approve the tariff filing. Commissioner Brainard seconded the motion, which passed unanimously. Commissioner Rowe voted aye.

APPEARANCE
Wayne Budt, Administrator
Transportation & Centralized Services Division

(389) In the matter of T-01.34.RI; On September 26, 2001, Wild Trout Outfitters, Inc. dba Mountain Taxi, as purchaser of PSC No. 8995, filed an application to amend zone descriptions and increase passenger rates and charges of between six percent and one hundred percent. This rate application was noticed to the public on October 9, 2001 and is scheduled to become effective on November 10, 2001. No protests were received.

SUB B Class B - Persons and baggage between all points within Madison and Gallatin counties.
Limitations: (1) Transportation must originate or terminate within a twenty (20) mile radius of Big Sky, Montana. (2) Transportation of fifteen (15) passengers or less per vehicle. (3) No transportation may originate within a five (5) mile radius of Bozeman, Montana. (4) Twelve (12) hour reservations for transportation of passengers from Gallatin Field Airport to Big Sky, Montana.

Commissioner Brainard moved to approve the application. Commissioner Stovall seconded the motion, which passed unanimously. Commissioner Rowe voted aye.

MinutesNovember 6, 2001

9:00 a.m.

(390) In the matter of T-01.36.ST; On September 26, 2001, Jeffery Dee Bingman dba Mountain Taxi, Big Sky, Montana filed an application for transfer of Montana Intrastate Certificate of Public Convenience and Necessity, PSC No. 8995, to Wild Trout Outfitters, Inc. dba Mountain Taxi, Big Sky, Montana. The sale and transfer was noticed to the public on October 10, 2001 and no protests were received.

SUB B Class B - Persons and baggage between all points within Madison and Gallatin counties.

Limitations: (1) Transportation must originate or terminate within a twenty (20) mile radius of Big Sky, Montana. (2) Transportation of fifteen (15) passengers or less per vehicle. (3) No transportation may originate within a five (5) mile radius of Bozeman, Montana. (4) Twelve (12) hour reservations for transportation of passengers from Gallatin Field Airport to Big Sky, Montana.

Commissioner Stovall moved to approve the transfer. Commissioner Anderson seconded the motion, which passed unanimously. Commissioner Rowe voted aye.

(391) In the matter of T-01.35.ST; On September 14, 2001 Peanut Butter & Jelly Investments LLC dba Classic Limo, Bozeman, Montana filed an application for transfer of Montana Intrastate Certificate of Public Convenience and Necessity, PSC No. 9403, to Classic Airport Shuttle and Limo, Inc., Bozeman, Montana. The application for transfer was noticed to the public on October 10, 2001. A protest was received based on the use of the word 'shuttle' in the purchaser's name. Purchaser has amended the corporate name of his company to Classic Limo, Inc.

Class B - Persons and personal baggage to be chauffeured in limousines, between all points and places in the following counties: Gallatin, Park and Madison. Limitations: 1) The transportation of more than twelve (12) passengers per vehicle is prohibited. 2) Solicitation of individual fares is prohibited. 3) Service as a taxi or cab is prohibited.

Commissioner Brainard moved to approve the transfer. Commissioner Stovall seconded the motion, which passed unanimously. Commissioner Rowe voted aye.

(392) In the matter of T-01.32.OTSC; On October 1, an Order to Show Cause was issued to Darin Niebuhr dba Piano Pathways, Billings, Montana, PSC NO. 9389, for failure to purchase a vehicle registration receipt for 2001. The Order to Show Cause was sent certified mail and returned to this office as unclaimed.

Class B - Pianos and organs between all points and places within Big Horn, Carbon, Stillwater, Treasure, and Yellowstone Counties.

Commissioner Stovall moved to approve the cancellation. Commissioner Anderson seconded the motion, which passed unanimously. Commissioner Stovall cast Commissioner Rowe's proxy aye.

(393) In the matter of T-01.33.OTSC: On October 1, 2001 an Order to Show Cause was issued to Ronald Ray Fletcher dba Uptown Cab Co., Sidney, Montana, PSC No. 9419, for failure to purchase a vehicle registration receipt for 2001. The Order to Show Cause was sent certified mail and received by the carrier on October 9, 2001. There has been no response.

Class B – Passengers between all points and places in Richland County, Montana.

Commissioner Brainard moved to approve the cancellation. Commissioner Stovall seconded the motion, which was tabled until next week to allow staff to attempt to contact Mr. Fletcher by telephone.

(395) In the matter of T-01.26.OTSC; On October 1, 2001 an Order to Show Cause was issued to Consolidated Freightways Corporation of Delaware, Vancouver, Washington, PSC No. 1285, for failure to purchase a vehicle registration receipt for 2001. The Order to Show Cause was sent certified mail and received by the carrier on October 9, 2001. The carrier has requested cancellation of PSC No.1285, and all sub authorities in its entirety. These authorities would allow for transportation of household goods to various points and places in the State of Montana. Commissioner Anderson moved to approve the cancellation. Commissioner Stovall seconded the motion, which passed unanimously. Commissioner Rowe voted aye.

(396) In the matter of TN2118; H. Earl Watson dba Watson Trucking, Chinook, Montana requests cancellation and termination of PSC No. 3900 in its entirety effective immediately.

Class B - Water (as a drilling fluid, for oil and gas drilling rigs), between all points and places in Stillwater County.

SUB A Class C - Property, in the town of Chinook, Montana and to or from points within a radius of ten (10) miles of said city. Limitations: The transportation of property (except household goods) between points served by rail carriers, or between points served by a motor carrier operating between fixed termini or over a regular route, is prohibited. Transportation of ashes, trash, waste, refuse, rubbish and garbage is prohibited.

SUB C Class B - Liquid drilling, mud and water, between all points and places in Blaine, Hill, Phillips, and Chouteau Counties, Montana.

Commissioner Feland moved to approve the cancellation. Commissioner Anderson seconded the motion, which passed unanimously. Commissioner Rowe voted aye.

(397) In the matter of the approval of Commission Minutes; Commissioner Stovall moved to approve the Commission Minutes for the week of October 29, 2001. Commissioner Anderson seconded the motion, which passed unanimously. Commissioner Rowe voted aye.

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9:00 a.m.

There being no further business to come before the Commission the meeting was adjourned.

GARY FELAND, Chairman

JAY STOVALL, Vice Chairman

BOB ANDERSON, Commissioner

MATT BRAINARD, Commissioner

BOB ROWE, Commissioner

ATTEST:

Rhonda J. Simmons
Commission Secretary

(SEAL)

MinutesNovember 6, 2001

9:30 a.m.

At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Tuesday, November 6, 2001, the following members were present:

Gary Feland, Chairman
Jay Stovall, Vice Chairman
Bob Anderson, Commissioner
Matt Brainard, Commissioner
Bob Rowe, Commissioner, via telephone

APPEARANCE

Robin McHugh, David Hoffman, Will Rosquist

(398) In the matter of the Commission's discussion of Montana Power Company' s sale to Northwestern Corporation, Docket No. D2001.1.5 (and impacts on Montana Power Company' s Tier II restructuring, Docket No. D97.7.90 and Montana Power Company' s default supply portfolio filing, Docket No. D2001.10.144); Commissioner Anderson moved to continue the work session until 3:00 p.m on Wednesday (Nov. 7), directing staff to convene a scheduling conference to develop a full procedural schedule to include a final order date; if no agreement on a procedural schedule, then schedule oral argument for 3:00 p.m. Wednesday, contemplating a decision on procedural schedule at the work session. Commissioner Brainard seconded the motion, which passed unanimously.

APPEARANCE

Robin McHugh

(399) In the matter of the Commission's discussion of Montana Power Company' s avoided cost compliance filing, Docket No. D2001.7.100; Commissioner Brainard moved to issue the protective order. Commissioner Stovall seconded the motion, which passed unanimously.

APPEARANCE

Martin Jacobson

(400) In the matter of the Commission's discussion of Lone Mountain Springs, Docket No. D97.8.140 (MT Supreme Court 01-179; Cronin v. PSC); Commissioner Stovall moved that if settlement is reached, the Commission agrees dismissal is appropriate. Commissioner Anderson seconded the motion, which passed unanimously.

APPEARANCE

Martin Jacobson

(401) In the matter of the Commission's discussion of CenturyTel line extension proposal to Star Meadows, Docket No. D2001.8.104; Commissioner Rowe moved to approve CenturyTel' s withdrawal of the line extension proposal. Commissioner Brainard seconded the motion, which passed unanimously.

MinutesNovember 6, 2001

9:30 a.m.

APPEARANCE

Robin McHugh, Marla Larson

(402) In the matter of the Commission's discussion of Qwest Corporation's application for approval of Section 271, Docket No. D2000.5.70; Commissioner Brainard moved to issue the preliminary report on emerging services (dark fiber and packet switching). Commissioner Stovall seconded the motion, which passed unanimously.

APPEARANCE

Robin McHugh, Marla Larson

(403) In the matter of the Commission's discussion of Qwest Corporation's application for approval of Section 271, Docket No. D2000.5.70; Commissioner Brainard moved to begin the contract with John Antonuk to conduct the CLEC forum with a maximum \$5,000 expenditure. Commissioner Stovall seconded the motion, which passed unanimously.

There being no further business to come before the Commission the meeting was adjourned.

GARY FELAND, Chairman

JAY STOVALL, Vice Chairman

BOB ANDERSON, Commissioner

MATT BRAINARD, Commissioner

BOB ROWE, Commissioner

ATTEST:

Rhonda J. Simmons
Commission Secretary

(SEAL)

MinutesNovember 7, 2001

3:00 p.m.

At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Wednesday, November 7, 2001, the following members were present:

Gary Feland, Chairman
Jay Stovall, Vice Chairman
Bob Anderson, Commissioner
Matt Brainard, Commissioner

Commissioner Rowe was absent but the vote was left open for him.

APPEARANCE
Robin McHugh, Will Rosquist

(404) In the matter of the Commission's discussion of Montana Power Company' s sale to Northwestern Corporation, Docket No. D2001.1.5 (and impacts on Montana Power Company' s Tier II restructuring, Docket No. D97.7.90 and Montana Power Company' s default supply portfolio filing, Docket No. D2001.10.144); Commissioner Stovall moved to adopt the proposed procedural schedule and delegate to staff discovery dispute resolution. Commissioner Brainard seconded the motion, which passed unanimously. Commissioner Rowe voted aye.

There being no further business to come before the Commission the meeting was adjourned.

GARY FELAND, Chairman

JAY STOVALL, Vice Chairman

BOB ANDERSON, Commissioner

MATT BRAINARD, Commissioner

BOB ROWE, Commissioner

ATTEST:

Rhonda J. Simmons
Commission Secretary

(SEAL)

MinutesNovember 8, 2001

9:00 a.m.

At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Wednesday, November 7, 2001, the following members were present:

Gary Feland, Chairman
Bob Anderson, Commissioner
Matt Brainard, Commissioner, via telephone
Bob Rowe, Commissioner

Commissioner Stovall was absent and did not leave a vote.

APPEARANCE
Robin McHugh, Mike Lee

(405) In the matter of the Commission's discussion of Qwest Corporation's application for § 271 approval, Docket No. D2000.5.70; Commissioner Rowe moved to prepare the draft preliminary report on Track A issues. Commissioner Anderson seconded the motion, which passed with a vote of 4-0.

There being no further business to come before the Commission the meeting was adjourned.

GARY FELAND, Chairman

BOB ANDERSON, Commissioner

MATT BRAINARD, Commissioner

BOB ROWE, Commissioner

ATTEST:

Rhonda J. Simmons
Commission Secretary

(SEAL)